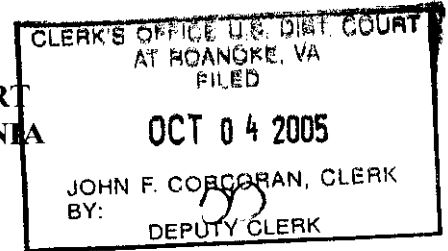


IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION



JOSEPH E. MONROE,  
Petitioner,

v.

UNITED STATES OF AMERICA,  
Respondent.

Civil Action No. 7:05-cv-00584  
Crim. No. 3:94-cr-00041

**MEMORANDUM OPINION AND  
FINAL ORDER**

By: Samuel G. Wilson  
United States District Judge

This matter is before the court on petitioner, Joseph E. Monroe's motion to vacate, set aside or correct sentence, pursuant to 28 U.S.C. § 2255. In June 1997, Monroe filed a petition pursuant to 28 U.S.C. § 2255, challenging his 1995 conviction and sentence for conspiracy to distribute and the distribution of crack cocaine, which the court dismissed. Monroe then filed a second § 2255 challenging this conviction in October 2004; and, finding that the Fourth Circuit did not authorize Monroe to file a successive § 2255 petition, the court dismissed it. Monroe now files a third petition pursuant to §2255 challenging the same conviction and sentence. Again, Monroe has not presented any evidence of having obtained certification from the Fourth Circuit to file a successive §2255 motion; accordingly, it is hereby **ORDERED** and **ADJUDGED** that the above referenced motion to vacate, set aside or correct sentence, pursuant to 28 U.S.C. §2255, it is hereby **DENIED** and **DISMISSED** as a successive § 2255 petition.

The Clerk is directed to send certified copies of this order to petitioner and to strike the case from the active docket of the court.

ENTER: This 4th day of October, 2005.

  
UNITED STATES DISTRICT JUDGE